

**BOARD OF REAL ESTATE APPRAISERS
BOARD MEETING MINUTES – June 1, 2004**

MEMBERS PRESENT

James Murphy
David Adams
Bruce Bell
Walter Bowditch
Joseph Herlihy
Kenneth Charest
Theodore Webersinn

MEMBERS ABSENT

OTHERS PRESENT

Carol Leighton, Administrator
Dennis Smith, A.A.G.
Kim Baker-Stetson, Licensing Clerk
Susan Greenlaw, Board Clerk

Location: Central Conference Room

Start: 9:05 a.m. **Adjourn:** 12:30 p.m.

CALL TO ORDER

The meeting was called to order at 9:05 a.m.

AGENDA MODIFICATIONS

Members agreed to add the following:

- AARO Conference Report
- Complaint #REA-175

OLD BUSINESS

Action on Minutes of May 4, 2004 Meeting

A motion was made by Terry Bowditch to approve the minutes of the May 4, 2004 meeting as written; second by Bruce Bell. Adams, Bell, Bowditch, Herlihy, and Murphy voted in the affirmative; none opposed; Charest and Webersinn abstained. Motion carried.

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Action on Tabled Applications/Items

NAME	APPLYING TO	ACTION
WILLIAM NELESKI	UPGRADE FROM CERT RESIDENTIAL TO SIT FOR CERTIFIED GENERAL EXAM MIN 180 QE BAL MET? = 183 QE HOURS ON FILE MIN 30 MONTHS EXP MET? = FIRST LICENSED ON 12/08/1992 MIN 3000 HOURS WK EXP W/AT LEAST 1500 HRS CMML	<p><u>JUNE 1, 2004</u> – MOTION BY ADAMS TO REMOVE FROM TABLE; SECOND BY BELL. UNANIMOUS. MOTION BY ADAMS TO RE-TABLE; SECOND BY WEBERSINN. UNANIMOUS. MOTION BY ADAMS TO REMOVE FROM TABLE; SECOND BY WEBERSINN. UNANIMOUS. MOTION BY CHAREST TO REQUEST WORK FILES ON THE SIX REQUESTED APPRAISALS; SECOND BY WEBERSINN. UNANIMOUS.</p> <p>MAY 26, 2004 – RECEIVED LETTER FROM APPLICANT MAY 25, 2004 – NOT RECEIVED TO DATE MAY 4, 2004 – MOTION BY BOWDITCH AND SECONDED BY HERLIHY TO TABLE PENDING RECEIPT OF 6 COMMERCIAL NARRATIVE OR EQUIVALENT REPORTS COMPLETED WITHIN THE LAST TWO YEARS. BELL, BOWDITCH, HERLIHY, AND MURPHY VOTED IN THE AFFIRMATIVE; ADAMS OPPOSED. MOTION CARRIED. MAY 4, 2004 - BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS. APRIL 6, 2004 - BOARD TO REVIEW SUBMITTED APPRAISALS</p>
JENNIFER MOTT	UPGRADE FROM LIC APPR TO SIT FOR CERTIFIED RESIDENTIAL EXAM MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 03/02/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTION A (B) AND 32 MRSA 14002	<p><u>JUNE 1, 2004</u> – MOTION BY ADAMS TO REMOVE FROM TABLE; SECOND BY BOWDITCH. UNANIMOUS. MOTION BY WEBERSINN TO DENY PURSUANT TO 32 MRSA 14023(2)(5), 14028, 14031(2)(A) AND BOARD RULES CHAPTER 200 SECTION 4.B.2.C.; SECOND BY BOWDITCH. UNANIMOUS.</p> <p>MOTION BY ADAMS TO INITIATE A COMPLAINT AGAINST THE LICENSEE BASED UPON 32 MRSA 14014(1)(G)(I)(J); SECOND BY WEBERSINN. UNANIMOUS.</p> <p>MOTION BY ADAMS TO INITIATE A COMPLAINT AGAINST THE SUPERVISOR BASED UPON 32 MRSA 14014(1)(G)(I)(J); SECOND BY WEBERSINN. ADAMS, BOWDITCH, CHAREST, HERLIHY, MURPHY, AND WEBERSINN; BELL OPPOSED. MOTION CARRIED.</p> <p>MAY 4, 2004 - MOTION BY ADAMS AND SECONDED BY BOWDITCH TO TABLE. UNANIMOUS. MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS. APRIL 6, 2004 – BOARD TO REVIEW SUBMITTED APPRAISALS MARCH 2, 2004 – BOARD INSTRUCTED CLERK TO CHOOSE 6 APPRAISALS FOR REVIEW FEBRUARY 25, 2004 – REC'D LIST FEBRUARY 3, 2004 – MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLEX APPRAISALS.</p>

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THOMAS PELLERIN	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 130 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 05/16/2000 MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPT 200 SECTION A (B) AND 32 MRSA 14002</p>	<p><u>JUNE 1, 2004</u> – MOTION BY ADAMS TO REMOVE FROM TABLE; SECOND BY WEBERSINN. UNANIMOUS. MOTION BY ADAMS TO RE-TABLE; SECOND BY HERLIHY. UNANIMOUS.</p> <p>MAY 25, 2004 – NOT RECEIVED TO DATE MAY 4, 2004 – MOTION BY ADAMS AND SECONDED BY BELL TO TABLE. UNANIMOUS. MOTION BY BELL AND SECONDED BY ADAMS TO REMOVE FROM THE TABLE. UNANIMOUS. MOTION BY BOWDITCH AND SECONDED BY BELL TO REQUEST SIX ADDITIONAL MAJOR/COMPLEX APPRAISALS. UNANIMOUS. MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS APRIL 6, 2004 – BOARD TO REVIEW SUBMITTED APPRAISALS MARCH 11, 2004 – RECEIVED LIST OF MAJOR/COMPLEX APPRAISALS MARCH 2, 2004 – PENDING RESPONSE TO REQUEST FEB 3, 2004 – MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLEX APPRAISALS AND PENDING VERIFICATION OF “FIRST FIFTY” APPRAISALS.</p>
DENIED APPLICATIONS – PENDING APPEAL RIGHTS		
JULIE GALVIN	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 03/14/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTIN A (B) AND 32 MRSA 14002</p>	<p>MAY 25, 2004 – NOTHING RECEIVED TO DATE MAY 4, 2004 - MOTION BY HERLIHY AND SECONDED BY BOWDITCH TO DENY PURSUANT TO 32 MRSA 14023(2)(5) AND BOARD RULES CHAPTER 200 SECTION 4-B-2-C. BELL, BOWDITCH, HERLIHY, AND MURPHY VOTED IN THE AFFIRMATIVE; ADAMS OPPOSED; MOTION CARRIED. MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS. APRIL 6, 2004 – BOARD TO REVIEW SUBMITTED APPRAISALS MARCH 5, 2004 – RECEIVED FIRST 50 LIST AND LIST OF MAJOR/COMPLEX PROPERTIES MARCH 2, 2004 – PENDING RESPONSE TO REQUEST FEB 3, 2004 - MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLEX APPRAISALS AND PENDING VERIFICATION OF “FIRST FIFTY” APPRAISALS.</p>
CATHERINE ARNOLD	<p>TRAINEE UPGRADE TO SIT FOR CERTIFIED RESIDENTIAL EXAM</p> <p>MIN 120 QE BAL MET? = 120 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 09/10/2001 MIN 2500 EXP HRS MET? = 4100+ MET ADEQUATE # OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTIN A (B) AND 32 MRSA 14002</p>	<p>MAY 25, 2004 – NOTHING RECEIVED TO DATE MAY 4, 2004 – MOTION BY HERLIHY AND SECONDED BY BOWDITCH TO DENY PURSUANT TO 32 MRSA 14023(2)(5) AND BOARD RULES CHAPTER 200 SECTION 4-B-2-C. BELL, BOWDITCH, HERLIHY, AND MURPHY VOTED IN THE AFFIRMATIVE; ADAMS OPPOSED. MOTION CARRIED. MAY 4, 2004 – BOARD MEMBERS TO REPORT ON REVIEWED APPRAISALS APRIL 6, 2004 – APPRAISALS TO BE REVIEWED BY BOARD MARCH 2, 2004 – LETTER SENT REQUESTING COPIES OF 6 APPRAISALS FEB 25, 2004 – REC'D LIST FEB 3, 2004 - MOTION TO TABLE AND REQUEST LIST OF MAJOR/COMPLEX APPRAISALS AND PENDING VERIFICATION OF “FIRST FIFTY” APPRAISALS.</p>

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NEW BUSINESS

Administrator's Report

The investigator contract has been awarded to Marc Goulet.

Complaint Officer's Report

#REA-185: David Adams recused himself and left the room. A motion was made by Theodore Webersinn to table pending further investigation; second by Kenneth Charest. Bowditch, Charest, Murphy, and Webersinn voted in the affirmative; Bell opposed; Herlihy abstained. Motion carried.

#REA-186: David Adams recused himself and left the room. A motion was made by Kenneth Charest to table pending further investigation; second by Terry Bowditch. Bowditch, Charest, Murphy, and Webersinn voted in the affirmative; Bell opposed; Herlihy abstained. Motion carried.

#REA-197: A motion was made by Kenneth Charest to dismiss upon finding no violation of Board statute or rules; second by Theodore Webersinn. Adams, Bell, Bowditch, Charest, Murphy, and Webersinn voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

#REA-198: A motion was made by Theodore Webersinn to dismiss upon finding no violation of Board statute or rules; second by Terry Bowditch. Adams, Bell, Bowditch, Charest, Murphy, and Webersinn voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

#REA-175: A motion was made by Kenneth Charest to not re-open the case; second by Bruce Bell. Adams, Bell, Charest, Murphy, and Webersinn voted in the affirmative; none opposed; Bowditch and Herlihy abstained. Motion carried. A motion was made by David Adams to send a response to the complainant indicating that the board disagrees with his assessment of this matter and chose not to re-address the issue at this time; second by Bruce Bell. Adams, Bell, Charest, Murphy, and Webersinn voted in the affirmative; none opposed; Bowditch and Herlihy abstained. Motion carried.

Review and Action on Applications and Education

NAME	APPLYING TO	ACTION
NANCY LANE	UPGRADE FROM LIC APPR TO SIT FOR CERTIFIED RESIDENTIAL EXAM MIN 120 QE BAL MET? = 150 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 05/31/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE NUMBER OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTION 4(B) AND 32 MRSA	<u>JUNE 1, 2004</u> – MOTION BY ADAMS TO TABLE PENDING REVIEW OF APPRAISALS; SECOND BY BOWDITCH. UNANIMOUS. MAY 25, 2004 – APPRAISALS RECEIVED MAY 17, 2004 – REQUESTED COPIES OF 6 MAJOR/COMPLEX APPRAISALS FROM COMPLEX LIST SUBMITTED WITH APPLICATION

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ROLANDO GUAJARDO	UPGRADE FROM LIC APPR TO SIT FOR CERTIFIED RESIDENTIAL EXAM MIN 120 QE BAL MET? = 142 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 12/10/2001 MIN 2500 EXP HRS MET? = 2500+ MET ADEQUATE NUMBER OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTION 4(B) AND 32 MRSA	<u>JUNE 1, 2004</u> – MOTION BY ADAMS TO TABLE PENDING REVIEW OF APPRAISALS; SECOND BY BOWDITCH. UNANIMOUS. JUNE 1, 2004 – RECEIVED APPRAISALS MAY 21, 2004 – RECEIVED LIST OF MAJOR/COMPLEX APPRAISALS AND REQUESTED COPIES OF SIX APPRAISALS MAY 17, <u>2004</u> – REQUESTED LIST OF MAJOR/COMPLEX APPRAISALS
STEPHAN (BILL) LOEFFLER	UPGRADE FROM LIC APPR TO SIT FOR CERTIFIED RESIDENTIAL EXAM MIN 120 QE BAL MET? = 130 QE HOURS ON FILE MIN 24 MONTHS EXP MET? = FIRST LICENSED 07/28/2000 MIN 2500 EXP HRS MET? = 3000+ MET ADEQUATE NUMBER OF MAJOR/COMPLEX APPR? = ?? SEE BOARD RULES CHAPTER 200 SECTION 4(B) AND 32 MRSA	<u>JUNE 1, 2004</u> – MOTION BY ADAMS TO TABLE PENDING REVIEW OF APPRAISALS; SECOND BY BOWDITCH. UNANIMOUS. MAY 26, 2004 – RECEIVED COPIES OF REQUESTED APPRAISALS MAY 11, 2004 – RECEIVED LIST OF MAJOR/COMPLEX APPRAISALS AND REQUESTED COPIES OF SIX APRIL 7, 2004 – REQUESTED LIST OF MAJOR/COMPLEX APPRAISALS

Correspondence

Theodore Webersinn presented his report from the AARO Spring 2004 Conference he attended April 24-26, 2004 in Covington, Kentucky.

Next Meeting Scheduled for July 6, 2004.

OTHER BUSINESS

ADJOURN

Being no further board business the meeting was adjourned at 12:30 p.m.

Respectfully submitted,

Susan Greenlaw
Board Clerk